

July 3, 2008

JUL 10 2008

TO: CLERK, U.S. DISTRICT COURT
OF CALIFORNIARICHARD W. WIERING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FROM: KEVIN BURTON. PRISON ID #C-38062 CIVIL CASE NO. 07-4967 (RR)

ORDER GRANTING LEAVE TO PROCEED
IN FORMA PAUPERISRE: PRISON STAFF AT R.J. DONOVAN, NON-COMPLIANCE TO PAY INITIAL FILING FEE
IN THE REQUISITE DATE OF ENTERED COURT ORDER. (Due Date, July 6, 2008)

Dear clerk of the court, Richard W. Wiering.

I THE PLAINTIFF IN THE ABOVE REFERENCED MATTER, HAVE MADE A REASONABLY
DILIGENT EFFORT TO COMPLY WITH THE COURT'S ORDER IN A TIMELY FASHION
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURES 41(b).

ON JUNE 11, 2008 I PLAINTIFF, RECEIVED IN U.S. MAIL, ORDER GRANTING LEAVE
TO PROCEED IN FORMA PAUPERIS. A COPY OF SAID ORDER WAS ALSO SENT
TO R.J. DONOVAN STATE PRISON TRUST OFFICE.

I PLAINTIFF DO NOT HAVE ANY FUNDS IN MY ACCOUNT (ZERO) AS EVIDENCED
BY PREVIOUSLY SUBMITTED TRUST ACCOUNT STATEMENT FROM SIX MONTH PERIOD,
PERIOD, UNTIL PRESENT, AND CAN NOT PAY THE INITIAL PARTIAL FILING FEE OF \$5.20.

I PLAINTIFF CONTACTED AND EXPLAINED THE INSTRUCTIONS FOR PAYMENT OF
PRISONER'S FILING FEE, (FROM ORDER SENT FROM U.S. DISTRICT COURT) TO THE
FOLLOWING PRISON OFFICIALS; 1. WARDEN, VALDEZ. 2. LEGAL LIBRARIAN, STERLING.
3. CHIEF DEPUTY WARDEN, MCBRIDE. 4. CAPTAIN MORRISON. 5. EMPLOYEE IN TRUST
ACCOUNT OFFICE WHO IDENTIFIED HERSELF AS EVA, EXT. 5160. 6. CORRECTIONAL
COUNSELOR ALVAREZ. AND 7. SERGEANT MILLER.

I PLAINTIFF COULD NOT, OR DID NOT GET A CONFIRMING ANSWER OR COMPLIANCE
TO SAID COURT ORDER, INSTRUCTIONS FOR PAYMENT OF PRISONER'S FILING FEE."
AND I REQUEST THAT MY CASE NOT BE DISMISSED FOR PRISON OFFICIALS
NOT ADHERING TO FEDERAL COURT ORDER: TO PAY INITIAL FILING FEE WITHIN
THE TIME ALLOWED ("30 DAYS FROM ORDER" JULY 6, 2008).

I KEVIN BURTON PLAINTIFF IN THE ABOVE REFERENCED MATTER DO
DECLAR UNDER PENALTY OF PERJURY THAT THE ABOVE STATEMENT(S)
ARE TRUE AND CORRECT. Kevin Burton July 3, 2008.

Kevin BURTAL c-38062

R.J. DONOVAN PRISON

P.O. Box 799007

SAN DIEGO, CA 92179

8-124L

STATE PRISON



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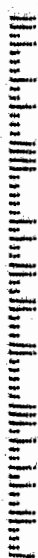
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